

**South Carolina Department of Disabilities
And
Special Needs**

STANDARDS FOR LICENSING DAY FACILITIES

**Effective July 1, 2009
Revised Effective July 1, 2010**

South Carolina Department of Disabilities and Special Needs STANDARDS FOR LICENSING DAY FACILITIES

South Carolina Code Annotated §44-20-710 (Supp 2007), authorizes SCDDSN to license day facilities for children and/or adults. The Code states:

"No day program in part or in full for the care, training, or treatment of a person with mental retardation, a related disability, head injury, or spinal cord injury may deliver services unless a license first is obtained from the department. For the purpose of this article 'in part' means a program operating for ten hours a week or more."

SCDDSN is authorized to establish minimum standards of operation and license programs as Adult Activity Centers; Work Activity Centers; Sheltered Workshops; and Unclassified Programs which are defined as follows:

- **Adult Activity Center:** A goal oriented program of developmental, prevocational services designed to develop, maintain, increase or maximize an individuals functioning in activities of daily living, physical growth, emotional stability, socialization, communication, and vocational skills. The minimum participant/staff ratio for an Adult Activity Center is 7:1;
- **Sheltered Workshop:** A work program whose purpose is to assist participants to achieve their potential through the use of individual work goals, remunerative employment, supportive services in a controlled environment. The workshop will maintain a certificate with the United States Department of Labor, which designates it as a "regular work program". The minimum participant/staff ratio for a Sheltered Workshop is 10:1.
- **Work Activity Center:** A workshop having an identifiable program designed to provide therapeutic activities for mentally retarded workers whose physical or mental impairment is so severe as to interfere with normal productive capacity. Work or production is not the main purpose of the program; however, the development of work skills is its main purpose. The program must have a certificate from the United States Department of Labor designating it as a Work Activity Program when applicable. The minimum participant/staff ratio for a Work Activity Center is 7:1.
- **Unclassified Program:** A program that provides a beneficial service and observes appropriate standards to safeguard the health and safety of clients, staff and the public. The minimum participant/staff ratio is 10:1.

A license will only be issued to programs which are in compliance with the standards noted in this document. A license may be issued for new programs or those found to be out of compliance upon receipt of an acceptable plan of correction for eliminating deficiencies identified in the official licensing survey. The plan must show that the deficiency will be corrected within a thirty (30) day period. An extension may be granted for another 30 days when requested in writing and good cause shown. A license will be effective for up to a twelve (12) month period, beginning with the date of issuance. DDSN will make a determination of which license to issue based on the services to be rendered through the facility. DDSN's Department Directive 104-01-DD explains the process for becoming licensed.

Definitions

Program: Adult Activity Center, Sheltered Workshop, Work Activity Center, or Unclassified Program

Service: Support Center, Day Activity, Career Preparation, Employment Services, or Community Service.

Participant: The person with a disability who receives services through the program.

	Standard	Guidance
1	Each program must be operated in accordance with applicable state and federal laws.	Americans with Disabilities Act, HIPAA, US Department of Labor, OSHA, SCDHEC Kitchen Standards, etc.
2	Each program must be operated in accordance with applicable SCDDSN Departmental Directives, procedures, and guidance.	See Attachment 1 to these Standards.
3	There will be at least the following minimum participant/staff ratio for each program: <ul style="list-style-type: none">• Adult Activity Center - 7:1;• Work Activity Center - 7:1;• Sheltered Workshop - 10:1;• Unclassified Program - 10:1;	Note: this ratio is applicable to the entire program and staff who are not responsible for direct participant support may be included in this ratio.
4	A designated responsible staff member must be present and in charge at all times a participant is present. The staff member left in charge must know how to contact the director at all times.	
5	At no time shall any participant be without supervision unless a specified activity which allows for an adult participant's independent functioning is planned and documented.	Please refer to SCDDSN policy regarding the supervision of people receiving services (510-01-DD).
6	A minimum participant/staff ratio of 10:1 must be maintained in each classroom, workshop, program area, etc. at all times.	When determining staffing patterns within a program and within a classroom, workshop, program area, etc., the supervision needs of each participant must be considered including their need for "independent functioning" as defined in Standard #5.
7	Each program shall have provisions for alternate coverage for staff members who are ill. Such policies shall require staff members with acute communicable disease, including respiratory infection, gastro-	

	intestinal infection, and skin rash, to absent themselves during the acute phase of illness.	
8	When licensed as an Adult Activity Center, participants will be at least eighteen (18) years of age.	
9	When licensed as an Unclassified Program, participants will be at least twelve (12) years of age.	
10	When licensed as an Unclassified Program, participants under age 18 are served in a program area apart/separated from adult participants.	
11	Each facility shall provide a minimum of fifty (50) square feet of program space per participant.	Per participant present in the facility.
12	Programs must be: a) Free from obvious hazards b) Clean c) Free of litter/rubbish d) Free of offensive odors e) Equipment in good working order f) Accessible to participants and staff	
13	Hot water temperature in the program area accessible to participants must never be more than 110 degrees Fahrenheit.	
14	The facility will meet the regulations of the appropriate standards for fire safety as set forth by the South Carolina Fire Marshal codes. Report of an approved fire safety inspection completed by a local Fire Marshal or the State Fire Marshal's shall be maintained in the facility's records.	<p>Fire Safety Inspections, when required, must be made by a Fire Marshal employed by the State Fire Marshal's office.</p> <p>Fees for this service are pre-paid by SCDDSN but inspections must be requested. Requests should only be made via the Internet following these steps:</p> <p>Step 1: Go to www.llr.state.sc.us/fmarshal/</p> <p>Step 2. Select "Online Inspection Report"</p> <p>Step 3. Enter password "america" in lower case letters;</p> <p>Step 4. Selection "Request For Inspection - Other" (Residential) OR "Work Camps" (Day)</p> <p>Step 5. Fill in all sections of the request</p> <p>Step 6. Submit the request</p> <p>Requests must be made at least ninety (90) days in advance. For additional guidance, please contact the Senior Deputy</p>

		Fire Marshal at (803) 896-9880.
15	The agency shall formulate and post in each room and work area, in a place clearly visible, a diagrammatic plan for evacuation of the building in case of disaster.	
16	All employees shall be instructed and kept informed regarding their duties under the plan.	
17	The center shall hold fire/disaster* drills at least once each quarter. Each drill conducted shall be recorded as to time, date of drill, number of those participating, and the total time required for evacuation. The record shall be signed by the person conducting the drill.	*Fire drills will be held quarterly. Additionally, disaster drills will be held annually.
18	Passageways shall be free of obstructions at all times.	
19	All staff shall be instructed in the proper use of fire extinguishers as documented in reports.	
20	The use of electrical extension cords is prohibited.	
21	Programs serving people who are deaf will develop a fire alarm system to assure the clients are alerted to the danger of fire.	
22	A safety check on electrical systems shall be made by a licensed/certified electrician/contractor and a written report kept on file at the facility at all times. A new inspection shall be made after any expansion, renovation, or the addition of any major electrical appliances or equipment.	
23	All staff shall be knowledgeable of utility cut-offs throughout the facility.	
24	The heating system shall be approved annually by a licensed/certified HVAC contractor and the report maintained on file at the facility. Floor furnaces shall have adequate protective coverings or guards to insure that individuals coming into contact with them shall not be burned. If space heaters are used, they shall be vented properly and screens or other protective devices shall be provided to prevent individuals from coming into contact with heaters.	
25	All cleaning equipment supplies, insecticides, etc. shall be in a locked cabinet or located in an area not accessible to unauthorized persons.	
26	Furniture, equipment, and training materials shall be appropriate to the ages	

	of the individuals in the program; shall be sturdily constructed without sharp edges; shall not be covered with toxic paint; and shall present minimal hazards to individuals.	
27	Stationary outdoor equipment shall be firmly anchored.	
28	When providing Support Center Services, the area in which services are provided must have comfortable accommodations and materials for activities that are appropriate for the people who receive the service.	
29	The use of tools and equipment shall be supervised by staff.	Supervision will be provided in accordance with the person's assessed need. As appropriate, independent use of equipment will be allowed.
30	In the presence of unusual hazards arising from certain work operations, appropriate safety precautions shall be taken to insure the protection of those present.	
31	Equipment and Materials for Learning, Recreational Experiences--Indoor and outdoor equipment and materials shall be provided in sufficient quantity and variety to meet the developmental need of the participants. The equipment will be age appropriate for the clients who use it.	
32	If the facility operates a transportation system, vehicles used for the transportation of participants shall ensure safety for the passengers.	
33	Vehicles shall be inspected daily, using a checklist. The driver shall sign a report which indicates that he has checked the lights, brakes, horn, wipers and tires.	
34	Maintenance of vehicles shall be recorded, updated, and signed every month.	
35	Each passenger shall have adequate seating space and shall use a seat belt or restraint system approved by the Highway Traffic Safety Administration Standards which is appropriate for his age while being transported.	

36	Each vehicle will have: <ul style="list-style-type: none"> • first aid kit which is replenished after each use and checked monthly for completeness; • fire extinguisher which is in good working order and securely fastened in a manner which is easily accessible to the driver. 	
37	Vehicle operators and all staff who transport clients will be licensed drivers who are capable of handling road emergencies and hazards and will have a current defensive driving course certificate within one month of employment which is on file in the agency. If there was no course offered within first month this must be verified and the staff must take and pass the first course offered.	
38	Medication to be administered shall be stored in a locked cabinet not accessible to unauthorized persons.	
39	Prescribed medication shall be kept in the original containers bearing the pharmacy label which shows drug name, the prescription number, date filled, physician's name, directions for use, and the patient's name.	
40	Written authorization to administer any medication must be given.	<p>If the service recipient is over age 18 and has not been adjudicated incompetent, he/she is considered his/her own guardian and therefore may authorize the administration of his/her medications. If a non-adjudicated adult is unable to authorize, authorization may be given by a parent/representative or surrogate. For those under age 18 or those adults who have been adjudicated incompetent, authorization must be given by parents or guardian.</p> <p>For ICF/MR residents, medications must be given in accordance with applicable ICF/MR regulations and standards.</p>
41	Medications must be safely and accurately given.	<ul style="list-style-type: none"> • In accordance with ICF/MR Standards/Regulations, as applicable. • Medication has not

		<p>expired.</p> <ul style="list-style-type: none"> • There are no contraindications i.e. no allergy for the drug • Administered at: • Proper time • Prescribed dosage • Correct route <p>603-13-DD: Medication Technician Certification</p>
42	Employees supervising the taking of medication will document that medication was taken by client as authorized by parents or guardian.	<p>For participants not independent in taking their own medication/treatments, a medication/treatment log must be maintained to denote:</p> <p>a) The name of medication or type of treatment given</p> <p>b) The current physician's order (and purpose) for the medication and/or</p> <p>Treatment or authorization from the responsible party.</p> <p>c) The name of person giving the medication</p> <p>d) Time given</p> <p>e) Dosage given</p> <p>The medication log must be reviewed at a minimum, monthly. If the reviews indicate error, actions must be taken to alleviate future errors. Entries must be made at the time the medication/treatment was given. Medication includes over-the-counter medications.</p>
43	Outdated medications and discontinued medications are disposed of per Provider policy.	
44	A first aid kit shall be maintained at each program site.	<p>First Aid Kit is a collection of supplies which includes: mild hand soap or hand sanitizer liquid; cotton tipped applicators; gauze bandages, one and two inch widths; sterile gauze, three inch by three inch; band-aids; adhesive tape; scissors; disinfectant; and thermometer.</p>
45	Each program will have a current activity	Schedules of activities should reflect the general schedule for

	<p>schedule posted.</p> <p>The schedule will reflect the hours the facility is open and the hours the program offers supervised services.</p> <p>The schedule must reflect the scheduled activities of the day.</p>	<p>the program. It is not necessary to specify the discrete activities that will occur with each service or program area. It is acceptable to identify the program start time, break times, lunch times, etc.</p>
--	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

DRAFT

**South Carolina Department of Disabilities and Special Needs
Standards for Licensing Day Facilities
Attachment 1**

Please note: This list represents the applicable Departmental Directives as of July 1, 2008. Additions or deletions of Departmental Directives after this date have not been included. Please refer to SCDDSN's Web site (www.state.sc.us/ddsn).

- 600-05-DD Behavior Support Plans
- 604-04-DD Certification in First Aid and Cardiopulmonary Resuscitation
- 700-02-DD Compliance with Title VI of the Civil Rights Act of 1964, American's with Disabilities Act of 1990, Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973 and Establishment of a Complaint Process
- 535-08-DD Concerns of People Who Receive Services: Reporting and Resolution
- 167-06-DD Confidentiality of Personal Information
- 100-09-DD Reporting of Critical Incidents
- 505-02-DD Death or Impending Death of Persons Receiving Services From DDSN
- 100-17-DD Family Involvement
- 603-06-DD Guidelines for Screening for Tuberculosis
- 603-13-DD Medication Technician Certification
- 535-07-DD Obtaining Consent for Minors and Adults
- 567-01-DD Pre-service Training Requirements and Orientation
- 534-02-DD Procedures for Preventing and Reporting Abuse, Neglect, or Exploitation of People Receiving Services from DDSN or a Contract Provider Agency
- 104-01-DD SCDDSN Certification & Licensure of Residential & Day Facilities
- 536-01-DD Social-Sexual Development
- 510-01-DD Supervision of People Receiving Services
- 603-01-DD Tardive Dyskinesia Monitoring
- 100-26-DD Risk Management Program
- 535-11-DD Appeal and Reconsideration Policy and Procedures
- 503-01-DD Consumer Involvement with Criminal Justice System

100-12-DD AIDS Policy

535-12-DD Advance Directives

100-04-DD Use of Adaptive Behavior Scales

100-25-DD Disaster Preparedness Plan for DDSN and Other Agencies
Providing Services to Persons with Disabilities and Special Needs

100-28-DD Quality Assurance and Management

100-29-DD Medication Error/ Event Reporting

101-02-DD Preventing and Responding to Suicidal Behavior

167-01-DD Appeal Procedure, For Licensed Programs Serving Persons with Mental
Retardation

250-08-DD Procurement Requirements for Local DSN Boards

368-01-DD Individual Service Delivery Records Management

535-10-DD Implementation of National Voter Registration Act

567-02-DD Policy on Preventing and Responding to Aggression (PRA) and the
Approval of Alternative Techniques or Curriculum